

IC 20-14-2.5

Chapter 2.5. Appointment of Library Boards of Class 1 Public Libraries

IC 20-14-2.5-1

Application

Sec. 1. This chapter applies only to Class 1 public libraries.
As added by P.L.125-1984, SEC.4.

IC 20-14-2.5-2

Residency; appointment

Sec. 2. (a) Except as provided in subsection (b), an appointee to a library board must:

- (1) reside in the library district during the time the appointee is on the library board; and
- (2) have resided in the library district served by the public library for at least the two (2) years immediately preceding the appointment to the library board.

(b) This subsection does not apply to public libraries established by a county. If part or all of one (1) or more townships are contracting for service from a public library under IC 20-14-3-6, the appointing authority, in making an appointment under section 4(4) of this chapter, may name a resident of one (1) township to serve on the library board as its appointment. However, the township appointee ceases to be a member of the library board if the township in which he resides fails to renew its contract for library service.

As added by P.L.125-1984, SEC.4. Amended by P.L.25-1992, SEC.12.

IC 20-14-2.5-3

Limitation on terms of service; consecutive terms; computation

Sec. 3. (a) Except as provided in subsection (b), an appointee to a library board may not serve more than four (4) consecutive terms on the library board. The consecutive terms shall be computed without regard to a change in the appointing authority that appointed the member or the length of any term served by the appointee. If:

- (1) a member's term is interrupted due to the merger of at least two (2) public libraries under IC 20-14-4; and
- (2) the member is reappointed to the merged public library board;

the term that was interrupted may not be considered in determining the number of consecutive terms a member may serve on a library board.

(b) This subsection applies to a library board for a library district having a population of less than three thousand (3,000). If an appointing authority conducts a diligent but unsuccessful search for a qualified person who wishes to be appointed to serve on the library board:

- (1) the appointing authority may reappoint a board member who has served four (4) or more consecutive terms; and

(2) state funds may not be withheld from distribution to the library.

The appointing authority shall file with the library board a written description of the search that was conducted under this subsection. This record becomes a part of the official records of the library board.

As added by P.L.125-1984, SEC.4. Amended by P.L.25-1992, SEC.13; P.L.19-1996, SEC.6.

IC 20-14-2.5-4

Membership

Sec. 4. Except as provided in section 9.5 of this chapter, and subject to section 10 of this chapter, seven (7) members of a library board shall be appointed as follows:

(1) One (1) member appointed by the executive of the county in which the library district is located, or if the district is located in more than one (1) county, jointly by the executives of the respective counties.

(2) One (1) member appointed by the fiscal body of the county in which the library district is located, or if the district is located in more than one (1) county, jointly by the fiscal bodies of the respective counties.

(3) Three (3) members appointed by the school board of the school corporation serving the library district. However, if there is more than one (1) school corporation serving the library district:

(A) two (2) members shall be appointed by the school board of the school corporation in which the principal offices of the public library are located; and

(B) one (1) member shall be appointed by a majority vote of the presidents of the school boards of the other school corporations.

(4) One (1) member appointed under section 5(1), 6(b)(1), 7(1), 8(1), or 9(1), of this chapter, as applicable.

(5) One (1) member appointed under section 5(2), 6(b)(2), 7(2), 8(2), or 9(2) of this chapter, as applicable.

As added by P.L.125-1984, SEC.4. Amended by P.L.50-2000, SEC.4.

IC 20-14-2.5-5

Library board serving district located in more than one county; appointments

Sec. 5. This section applies to the appointment of members to the library board of a public library serving a library district that is located in more than one (1) county and is not entirely located within the boundaries of one (1) municipality. For such a public library, the appointments under section 4(4) and section 4(5) of this chapter shall be made as follows:

(1) One (1) member appointed jointly by the executive of the respective counties.

(2) One (1) member appointed jointly by the fiscal bodies of the

respective counties.
As added by P.L.125-1984, SEC.4.

IC 20-14-2.5-6

Library board serving district created in one county; appointments

Sec. 6. (a) This section applies to the appointment of members to the library board of a public library serving a library district that is located in one (1) county and:

- (1) has been established by a county or merged into a county public library;
- (2) results from the merger of a public library into a county public library under IC 20-14-4;
- (3) is located in part or all of two (2) or more townships and is not entirely located within the boundaries of one (1) municipality; or
- (4) is located in part or all of two (2) or more municipalities.

(b) Subject to subsection (c), in a public library described in subsection (a), the appointments under section 4(4) and 4(5) of this chapter shall be made as follows:

- (1) One (1) member appointed by the executive of the county in which the district is located.
- (2) One (1) member appointed by the fiscal body of the county in which the district is located.

(c) This subsection applies to a county containing only two (2) Class 1 public libraries and having a population of more than one hundred thirty thousand (130,000) but less than one hundred forty-five thousand (145,000), or more than one hundred forty-eight thousand (148,000) but less than one hundred seventy thousand (170,000). In a public library that is the result of a merger occurring after December 31, 1979, between a public library and a county contractual public library, the appointments under section 4(4) and 4(5) of this chapter shall be made as follows:

- (1) One (1) member appointed by the executive of the municipality in which the principal offices of the public library are located.
- (2) One (1) member appointed by the legislative body of the municipality in which the principal offices of the public library are located.

As added by P.L.125-1984, SEC.4. Amended by P.L.12-1992, SEC.114; P.L.170-2002, SEC.123.

IC 20-14-2.5-7

Library board serving district located in unincorporated areas of township; appointments

Sec. 7. This section applies to the appointment of members to the library board of a public library serving a library district that is entirely located in the unincorporated areas of the township. For such a public library, the appointments under section 4(4) and section 4(5) of this chapter shall be made as follows:

- (1) One (1) member appointed by the executive of the township

in which the district is located.

(2) One (1) member appointed by the legislative body of the township in which the district is located.

As added by P.L.125-1984, SEC.4.

IC 20-14-2.5-8

Library board serving district located in one township; appointments

Sec. 8. This section applies to the appointment of members to the library board of a public library serving a library district that is entirely located in one (1) township and includes part or all of only one (1) municipality. For such a public library, the appointments under section 4(4) and section 4(5) of this chapter shall be made as follows:

(1) One (1) member appointed by the legislative body of the township in which the district is located.

(2) One (1) member appointed by the legislative body of the municipality in which the district is located.

As added by P.L.125-1984, SEC.4.

IC 20-14-2.5-9

Library board serving district located in one municipality; appointments

Sec. 9. This section applies to the appointment of members to the library board of a public library serving a library district that is entirely located within the boundaries of one (1) municipality. For such a public library, the appointments under section 4(4) and section 4(5) of this chapter shall be made as follows:

(1) One (1) member appointed by the executive of the municipality in which the district is located.

(2) One (1) member appointed by the legislative body of the municipality in which the district is located.

As added by P.L.125-1984, SEC.4.

IC 20-14-2.5-9.5

Library board serving district in certain counties

Sec. 9.5. (a) This section applies to the library board of a library district:

(1) located in a county having a population of more than fifty-five thousand (55,000) but less than sixty-five thousand (65,000); and

(2) containing all or part of the territory of each school corporation in the county.

(b) Notwithstanding section 4 of this chapter, the library board has the following members:

(1) One (1) member appointed by the executive of the county in which the library district is located and who is not a member of the county executive.

(2) One (1) member appointed by the fiscal body of the county in which the library district is located and who is not a member

of the county fiscal body.

(3) One (1) member appointed by the legislative body of the most populous city in the library district and who is not a member of the city legislative body.

(4) One (1) member appointed by the school board of each school corporation having territory in the library district and who is not a member of a governing body of a school corporation.

(c) A person who is appointed under subsection (b) to serve as a member of a library board must before March 1 of each year report to the member's appointing authority concerning the work of the library board and finances of the library during the prior calendar year, including the rate of taxation determined under IC 20-14-3-10. *As added by P.L.50-2000, SEC.5. Amended by P.L.170-2002, SEC.124.*

IC 20-14-2.5-10

Library board serving district located partly or fully within consolidated city within one county; appointment

Sec. 10. (a) This section applies to the appointment of members to a library board of a public library serving a library district that is partly or fully within the boundaries of a consolidated city and fully within the boundaries of one (1) county.

(b) Seven (7) members of a library board shall be appointed in the following order as the terms of previously appointed members expire:

(1) One (1) member appointed by the board of county commissioners of the county in which the library district is located.

(2) One (1) member appointed by the fiscal body of the county in which the library district is located.

(3) One (1) member appointed by the board of county commissioners of the county in which the library district is located.

(4) Two (2) members appointed by the school board of the school corporation in which the principal offices of the public library are located.

(5) One (1) member appointed by the board of county commissioners of the county in which the library district is located.

(6) One (1) member appointed by the fiscal body of the county in which the library district is located.

As added by P.L.125-1984, SEC.4.

IC 20-14-2.5-11

Additional members of county contractual library board; appointments

Sec. 11. The four (4) additional members of a county contractual library board required by IC 20-14-6-5 shall be appointed as follows:

(1) Two (2) members appointed by the executive of the county

in which the county contractual library district is located.

(2) Two (2) members appointed by the county superintendent of schools, or if there is no county superintendent of schools, by the county auditor of the county in which the library district is located.

As added by P.L.125-1984, SEC.4.

IC 20-14-2.5-12

Term of library board member

Sec. 12. (a) Subject to subsection (b), the term of a library board member is four (4) years. A member may continue to serve on a library board after his term has expired until his successor is qualified under section 13 of this chapter. The term of the member's successor is not extended by the time that has elapsed before the successor's appointment and qualification. If a member is appointed to fill a vacancy on a library board, his term is the unexpired term of the member being replaced.

(b) Except for a library board whose membership is established under section 9.5 of this chapter, for the purposes of establishing staggered terms for the members of a library board, the initial members shall serve the following terms:

(1) One (1) year for one (1) member appointed under section 4(1), 4(5), 10(b)(1), 10(b)(2), or 11(1) of this chapter.

(2) Two (2) years for one (1) member appointed under section 4(3)(A), 4(4), 10(b)(3), 10(b)(4), or 11(2) of this chapter.

(3) Three (3) years for one (1) member appointed under section 4(2), 4(3)(A), 10(b)(4), 10(b)(5), or 11(1) of this chapter.

(4) Four (4) years for one (1) member appointed under section 4(3)(B), 10(b)(6), or 11(2) of this chapter.

(c) When an appointing authority appoints members to terms of different length under subsection (b), he shall designate which appointee serves each term.

As added by P.L.125-1984, SEC.4. Amended by P.L.19-1986, SEC.37; P.L.50-2000, SEC.6.

IC 20-14-2.5-13

Certificate of appointment

Sec. 13. (a) An appointing authority under this chapter shall issue to each appointee to a library board a signed certificate of appointment.

(b) Within ten (10) days after the receipt of the certificate of appointment, the appointee shall take an oath of office, before any person authorized by law to administer the oath, to the effect that he will faithfully discharge his duties to the best of his ability.

(c) The appointee shall file the certificate of appointment and the endorsed oath with the records of the public library, which shall be preserved as a public record.

As added by P.L.125-1984, SEC.4.

IC 20-14-2.5-14

Removal of member; vacancy

Sec. 14. (a) A board member may be removed at any time by the appointing authority, after public hearing, for any cause:

(1) that interferes with the proper discharge of his duties as a member of the board; or

(2) that jeopardizes public confidence in the member.

(b) A vacancy occurs whenever a member is absent from six (6) consecutive regular board meetings for any cause other than illness. The appointing authority shall be notified by the secretary of the board of a vacancy.

As added by P.L.125-1984, SEC.4.

IC 20-14-2.5-15**Compensation**

Sec. 15. All members of a library board shall serve without compensation, and a board member may not serve as a paid employee of the public library, except the treasurer as provided in IC 20-14-2-5.

As added by P.L.125-1984, SEC.4.